

SAMUEL BILLINGS—SCHOONER LURAND.

[To accompany bill H. R. No. 499.]

JUNE 15, 1842.

Mr. T. W. WILLIAMS, from the Committee on Commerce, submitted the following

REPORT:

The Committee on Commerce, to which was referred the petition of Captain Samuel Billings, report:

That the petitioner was owner and commander of the fishing schooner Lurand, of Portsmouth, in the State of New Hampshire, burden 66 $\frac{1}{4}$ tons, that said vessel was regularly fitted out for the cod-fishery to the coast of Labrador, with a crew of ten men and eight hundred bushels of salt, and was employed over three and a half months during the fishing season of 1838, and that the crew of said vessel caught and landed eight hundred quintals of fish and ten barrels of oil, thereby entitling the owner and crew of said vessel to the bounty, allowed by law, (see act of 3d March, 1819,) of three dollars and fifty cents per ton, amounting to \$234; that, on application, in January, 1839, to the collector of Portsmouth for said allowance, he was informed that it could not be paid on account of an informality in the fishing agreement.

It appears, by a letter from the collector, dated 24th January, 1839, that three of the fishermen of said schooner Lurand had been employed at monthly wages instead of shares, but that the other requirements of the law had been complied with. The collector further states that Captain Billings is an honest, enterprising, and worthy citizen, and would feel severely the deprivation of this bounty; and he believes that he would not intentionally evade the laws.

The petitioner also states that, for six years previous, he had been absent from the district, and engaged in other business, and was not aware the law required that all the crew should be on shares; and that there could have been no design on his part to evade the law in any way, and particularly by giving wages to the men instead of taking them on shares, as it is always for the owner's interest to have them go on shares; and the reason why they are ever put on wages is, that the fishermen are sometimes unwilling to run the risk of catching fish sufficient to pay them, and thus the whole responsibility and risk are thrown upon the owners.

It appears to the committee that it was the intent and design of the owner and master to comply with the law, and the informality was the result of ignorance rather than intentional error. They therefore report a bill.

